

Amendment
U.S. Patent Appln. No. 09/489,570

REMARKS

Claims 1, 11, 26, 36, 51 and 61 have been amended.

Claims 1 - 75 are present in the subject application.

In the Office Action dated April 24, 2003, the Examiner has rejected claims 1 - 75 under 35 U.S.C. §103(a). Favorable reconsideration of the subject application is respectfully requested in view of the following remarks.

The Examiner has rejected claims 1 – 6, 9 - 18, 21 - 31, 34 - 43, 46 - 56, 59 - 68 and 71 - 75 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,959,627 (Duwaer et al). Briefly, the Duwaer et al patent discloses a visual user-presentation of a compilation system for multiple visual and/or audio items. The items are each associated with various attributes that each express a category, a value or a label, and through selection among the items a compiled subset of items is produced. The presentation is multidimensional in parallel over the various attributes that each allow selection on a uniform level. Presentation of items that discord with the actual selection are suppressed so that each selection diminishes the multidimensionality of the presentation. A selection of effectivity controls are further displayed.

In contrast, the present invention is directed toward a web-based system for storing content objects in a data repository as a group of hierarchically related content entities. Each non-container content object is preferably stored as a separate entity in the data repository. As content objects are input into the system or as a user selects desired objects for inclusion in a content object, the system arranges the content objects hierarchically according to the order specified by the input content object or by the user. The system then creates a file object defining the content object that contains a list or outline of the container and non-container

Amendment

U.S. Patent Appln. No. 09/489,570

entities selected, their identifiers, order and structure. This file object is stored separately in the data repository.

In order to assist in an understanding of the present invention, the present invention features may be illustrated by the following example with respect to generation of a content object in the form of a book. The book structure may include volumes each with one or more chapters, where each chapter, in turn, may include one or more sections. The content of the chapter sections resides in the data repository as individually accessible files each containing a section (or content entity). The present invention system basically represents the book in the form of a hierarchical outline of containers (e.g., representing volumes or chapters) and subordinate non-containers (e.g., sections). The non-containers are each associated with content entity identifiers indicating the files containing the content (or content entities) in the data repository to be included within the corresponding container and book. The hierarchical outline of containers and content entity identifiers is stored as a separate file object. A user interface enables a user to manipulate the outline to select and alter the book content. In other words, a user may construct the book with content (e.g., text, images, etc.) selected from the data repository. When the user adds, removes or moves book content, the corresponding content entity identifier is respectively added, removed or moved within the outline.

This rejection is respectfully traversed since the Duwaer et al et al patent does not disclose, teach or suggest the features of file objects with a list or outline of content entity identifiers as recited in independent claims 1, 11, 23, 26, 36, 48, 51, 61 and 73, an outline of containers and content entity identifiers as recited in independent claims 11, 36 and 61, or inserting the content entity into the ordered list at the location of its content entity identifier as

Amendment

U.S. Patent Appln. No. 09/489,570

recited in independent claims 23, 24, 48, 49, 73 and 74. However, in order to expedite prosecution of the subject application, independent claims 1, 26 and 51 have been amended to recite the features of a file object containing a list of content entity identifiers, wherein the arrangement of the content entity identifiers within the list corresponds to a content object hierarchical structure including at least one hierarchical tier and at least one subordinate tier, and wherein the content entity identifiers are determined by a processing system with each including identification information identifying the file object containing the content entity associated with that identifier. Independent claims 11, 36 and 61 have been amended to recite the features of a file object containing an outline of containers and content entity identifiers defining the content and corresponding to a hierarchy of the content object, each container representing a hierarchy tier and including at least one content entity identifier forming a subordinate hierarchy tier, the content entity identifiers being determined by a processing system and the content entity identifiers each including identification information identifying the file object containing the content entity associated with that identifier.

The Examiner takes the position with respect to the independent claims that the Duwaer et al patent discloses a select tracks tab used for creating a library in the database where the user can select the items for storage, an input track information tab used to specify information for a selection and a compilation creation tab to create a compilation. The Examiner further alleges that the Duwaer et al compilation corresponds to the claimed content object, while the tracks correspond to the claimed content file objects with the track names identifying the tracks as the claimed content entity identifiers, and that the Duwaer et al patent discloses several button controls to add and remove items from a compilation list and to store the resulting compilation,

Amendment

U.S. Patent Appln. No. 09/489,570

where the user is prompted to provide a compilation name. The Examiner takes the further position with respect to the independent claims that it would have been obvious to modify the Duwaer et al patent to include a file object, a plurality of content file objects for altering the content and arrangement of the content object, retrieving the file object, inserting the content entity and enabling modification for altering content and arrangement of the content object to attain the claimed invention as recited in the independent claims.

This rejection is respectfully traversed since the Duwaer et al patent does not disclose, teach or suggest the features recited in independent claims 1, 11, 23, 24, 26, 36, 48, 49, 51, 61, 73 and 74. With respect to claims 1, 11, 26, 36, 51 and 61, the Duwaer et al patent discloses a compilation system with several tabs for system operation. A select tracks tab enables creation of a library of audio items in a database (See Column 2, lines 49 – 50). Fig. 2 of the Duwaer et al patent illustrates presentation of a compact disk to the system in order to copy user specified tracks into the library (See Column 2, lines 56 – 60). The input track information tab enables information to be entered for those tracks selected to be included in the library (See Fig. 3 and Column 2, lines 64 – 67). One of the fields entered includes the track title (See Column 3, line 2). Thus, the track name attribute of the Duwaer et al patent, construed as the content entity identifier by the Examiner, merely indicates the track title and does not include identification information to identify a file object containing the associated track as recited in independent claims 1, 11, 26, 36, 51 and 61.

With further reference to the Duwaer et al patent, the compilation creation tab enables selection of items for a compilation (See Figs. 4 – 5 and Column 4, lines 3 – 7). The compilation creation tab provides a display with several attributes and a compilation field of selected

Amendment

U.S. Patent Appln. No. 09/489,570

individual items with control buttons to add and remove items from the compilation and to save the compilation, where a user is prompted for a compilation name (See Column 4, lines 41 – 49). The compilation information is stored across several tables of a database. The database includes information for the audio library as well as all compilations that is spread across several database tables, where indices or pointers are utilized to retrieve compilation and other information across those tables (See Fig. 7 and Column 5, lines 23 – 62). Thus, the Duwaer et al patent does not disclose, teach or suggest a file object with a list or outline of content entity identifiers, wherein the arrangement of the content entity identifiers within the list or outline corresponds to the content object hierarchical structure. In fact, there is no disclosure, teaching or suggestion of the particular arrangement compilation entries are stored in database tables or files to indicate compilations or, for that matter, the entries being arranged in the database tables or files to correspond to the compilation structure as recited in claims 1, 11, 26, 36, 51 and 61.

In addition, the compilation field of the Duwaer et al patent basically provides a list of individual items (See Fig. 4). However, there is no disclosure, teaching or suggestion of an outline of containers and content entity identifiers with each container representing a hierarchical structure tier and including at least one content entity identifier forming a subordinate hierarchical tier as recited in independent claims 11, 36 and 61. Further, the Duwaer et al patent control buttons do not enable manipulation within the compilation list of hierarchical and corresponding subordinate tiers (e.g., containers and individual content entity identifiers) as recited in these claims.

With respect to independent claims 23, 24, 48, 49, 73 and 74, these independent claims recite the features of inserting the content entity into the ordered list at the location of its content

Amendment

U.S. Patent Appln. No. 09/489,570

entity identifier. As discussed above, the Duwaer et al patent discloses the compilation creation tab to provide a display with several attributes and a compilation field of selected individual items with control buttons to add and remove items from the compilation and to save the compilation, where a user is prompted for a compilation name (See Column 4, lines 41 – 49). A separate compilation playback/recording screen is utilized to retrieve compilation items for direction to an output device (See Fig. 6 and Column 4, line 66 to Column 5, line 3). Thus, the compilation items are displayed in the compilation field of the compilation creation tab and retrieved from storage for transfer to an output device via the playback screen, as opposed to the compilation item being inserted into the compilation fields at the location of the track name as recited in these claims. Since the Duwaer et al patent does not disclose, teach or suggest the features recited in independent claims 1, 11, 23, 24, 26, 36, 48, 49, 51, 61, 73 and 74 as discussed above, these claims are considered to be in condition for allowance.

Claims 2 – 6, 9 – 10, 12 – 18, 21 – 22, 25, 27 – 31, 34 – 35, 37 – 43, 46 – 50, 52 – 56, 59 – 60, 62 – 68, 71 – 72 and 75 depend either directly or indirectly from independent claims 1, 11, 24, 26, 36, 49, 51, 61 or 74 and, therefore, include all the limitations of their parent claims. These claims are considered to be in condition for allowance for substantially the same reasons discussed above in relation to their parent claims and for further limitations recited in the claims.

The Examiner has rejected claims 7 – 8, 19 – 20, 32 – 33, 44 – 45, 57 – 58 and 69 – 70 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,959,627 (Duwaer et al) in view of U.S. Patent No. 5,557,722 (DeRose et al). Briefly, the Duwaer et al patent discloses a visual user-presentation of a compilation system as described above. The DeRose et al patent discloses a data processing system and method for generating a representation of an electronic

Amendment

U.S. Patent Appln. No. 09/489,570

document, for indexing the electronic document, for navigating the electronic document using its representation and for displaying the electronic document on an output device. The system and method are used with electronic documents having descriptive markup which describes the content or meaning of the document rather than its appearance. Each markup element defines a node or element in a tree, where the tree is represented by providing a unique identifier for each element and for accessing a descriptor of the element. The element descriptor preferably includes indications of the parent, first child, last child, left sibling, right sibling, type name and text location for the element. The document representation is used to facilitate navigation of the text for constructing navigational aids, such as table of contents, and full text indexing.

The Examiner takes the position that the Duwaer et al patent teaches all the claimed subject matter except for the content object being a book and the content entities are one of volumes, chapters and sections. The Examiner further alleges that the DeRose et al patent teaches these features and that it would have been obvious to combine the Duwaer et al and DeRose et al patents to attain the claimed invention.

This rejection is respectfully traversed. Initially, claims 7 – 8, 19 – 20, 32 – 33, 44 – 45, 57 – 58 and 69 – 70 depend either directly or indirectly from independent claims 1, 11, 26, 36, 51 or 61 and, therefore, include all the limitations of their parent claims. As discussed above, the Duwaer et al patent does not disclose, teach or suggest the features recited within the independent claims. The DeRose et al patent does not compensate for the deficiencies of the Duwaer et al patent. Rather, the DeRose et al patent discloses generating a representation of an electronic document, indexing the electronic document, navigating the electronic document using its representation and displaying the electronic document on an output device. In other

Amendment

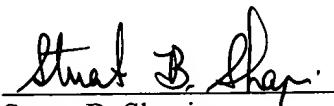
U.S. Patent Appln. No. 09/489,570

words, the DeRose et al patent relates to processing of an established document based on a fixed representation of that document, as opposed to creation and/or modification of compilations as recited in the claims. Since the Duwaer et al and DeRose et al patents do not disclose, teach or suggest, either alone or in combination, the features recited in claims 7 – 8, 19 – 20, 32 – 33, 44 – 45, 57 – 58 and 69 – 70 as discussed above, these claims are considered to be in condition for allowance.

In addition to the foregoing, it would not be obvious to combine the Duwaer et al and the DeRose et al patents to attain the claimed invention. Specifically, the Duwaer et al patent is directed towards a user-presentation of a compilation system as described above. This system is directed towards compilation of audio and/or video items. There is no disclosure, teaching or suggestion of compilation of documents. The DeRose et al patent is directed toward the rendering of an electronic document for navigation, indexing and display as described above. Accordingly, the patents are directed toward diverging applications and there is no reason, suggestion or motivation to combine their teachings. Thus, the proposed combination of the Duwaer et al and DeRose et al patents does not render the claimed invention obvious.

The application, having been shown to overcome issues raised in the Office Action, is considered to be in condition for allowance and Notice of Allowance is earnestly solicited.

Respectfully submitted,



Stuart B. Shapiro
Reg. No. 40,169

EDELL, SHAPIRO & FINNAN, LLC
1901 Research Blvd., Suite 400
Rockville, Maryland 20850-3164
(301) 424-3640
Hand-delivered on: 7/24/03